

To: Erin Foresman/R9/USEPA/US@EPA;"Robershotte, Paul J SPD"
[Paul.J.Robershotte@usace.army.mil]; Robershotte, Paul J SPD"
[Paul.J.Robershotte@usace.army.mil]
Cc: Karen Schwinn/R9/USEPA/US@EPA;Tom Hagler/R9/USEPA/US@EPA[]; om
Hagler/R9/USEPA/US@EPA[]
From: "Nepstad, Michael G SPK"
Sent: Mon 6/27/2011 7:42:14 PM
Subject: RE: FW: Federal Lead Agency Attendees (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

I'd just change the phrase "site specific" to project specific or project level. The distinction would be because our colleges in other agencies seem to equate "site specific" with "facility footprint." While we do want permitting level detail on the footprint impacts of the proposed project, we also want to know permitting level detail the impacts of the proposed project to non-footprint factors such as water quality, changes in flows, etc. Part of the confusion our colleges have is many don't understand that our permit will be for both their construction and their water diversion operations; not just the construction as with a subdivision or a highway project.

-----Original Message-----

From: Foresman.Erin@epamail.epa.gov [mailto:Foresman.Erin@epamail.epa.gov]
Sent: Monday, June 27, 2011 9:12 AM
To: Robershotte, Paul J SPD
Cc: Nepstad, Michael G SPK; Schwinn.Karen@epamail.epa.gov;
Hagler.Tom@epamail.epa.gov
Subject: Re: FW: Federal Lead Agency Attendees (UNCLASSIFIED)

Hi Paul,

I can attend the meeting on Tuesday. Do you know time and place. Last email I have says Tuesday morning.

The connection between the NEPA EIS for BDCP and the LEDPA for the "Delta Conveyance", the only site-specific, project level BDCP element covered in the NEPA document can be explained like this:

* Integrating Endangered Species Act (ESA) and Clean Water Act (CWA) under NEPA for BDCP requires us to identify a purpose and need, alternatives, and alternative most likely to contain the LEDPA for the programmatic aspects of the BDCP and the one site-specific project level element, the Delta Conveyance (change in location of diversion, new distribution system such as a canal or pipeline, and operations).

* We recommend doing this because one NEPA document can then serve as the support document on which decisions by ESA and CWA action agencies can be based. We have also included Rivers and Harbors Act to cover section 10 changes to navigable waterways and the section 408 for modifications to Corps projects (e.g., levees).

* For CWA-ESA integration under NEPA, one of the important decisions is identifying the alternative most likely to contain the LEDPA.

* If the BDCP project applicants would like to identify a preferred Delta Conveyance alternative in the Draft EIS, our group needs to work together using the MOU to make sure the preferred alternative for the Delta Conveyance identified under ESA is also the alternative most likely to contain the LEDPA for CWA. If we can't do this, we really did not integrate anything.

* Integrating CWA and ESA under NEPA for the BDCP requires site-specific information for the Delta Conveyance project so that we have enough information to identify an alternative that is likely to be the LEDPA.

I hope that helps! Let me know if you'd like to know more or have other questions. Hopefully Mike N and Tom H will chime in too if they can address it better.

Erin Foresman
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<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>
<<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>>

From: "Robershotte, Paul J SPD" <Paul.J.Robershotte@usace.army.mil>
To: Erin Foresman/R9/USEPA/US@EPA
Cc: "Nepstad, Michael G SPK" <Michael.G.Nepstad@usace.army.mil>
Date: 06/24/2011 01:54 PM
Subject: FW: Federal Lead Agency Attendees (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Erin

In a call this morning, David Nawi again made the plea that the Corps attend this meeting next Tuesday morning with ICF. I told him I would try to call in, that Nepstad was in Long Beach and that I believed you were going to attend. Do I have it right?

On a related topic, I need to better understand the connection of the NEPA EIR/EIS to the LEDPA for the Site Specific conveyance (North Delta Diversion) for the Section 404 Permit decision (Item 4 on page 3 of the MOU and its

LEDPA tie in to the EIR/EIS serving as means for NEPA & CEQA compliance).
Thanks
Paul

-----Orig <<image002.jpg>> inal Message-----

From: Nawi, David [mailto:David_Nawi@ios.doi.gov
<mailto:David_Nawi@ios.doi.gov>]

Sent: Thursday, June 23, 2011 3:43 PM

To: Robershotte, Paul J SPD; Nepstad, Michael G SPK; Jewell, Michael S SPK

Cc: Schwinn.Karen@epamail.epa.gov; Hagler.Tom@epamail.epa.gov

Subject: FW: Federal Lead Agency Attendees

I think it would make sense for someone from the Corps to attend the meeting below (it is in the a.m.). This will be an important meeting to discuss with the new consultant (ICF) the process and timing for moving ahead with the BDCP Effects Analysis and the EIS.

From: Anise Shah [mailto:ashah@hgcpm.com <mailto:ashah@hgcpm.com>]

Sent: Thursday, June 23, 2011 2:56 PM

To: Nawi, David

Subject: Federal Lead Agency Attendees

Hello David,

Chuck asked that I reach out to you to regarding the upcoming 5 Agency Meeting this Tuesday, June 28th. Do you happen to know who will be attending from the Federal Lead Agencies?

Thank you,

HMG_Capital_Logo

Anise Shah

ashah@hgcpm.com <mailto:jalwan@hgcpm.com <mailto:jalwan@hgcpm.com> >

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Classification: UNCLASSIFIED

Caveats: NONE

[attachment "image002.jpg" deleted by Erin Foresman/R9/USEPA/US]

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Caveats: NONE